

## United States Patent and Trademark Office

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
09/779,798	02/08/2001	Don Spyker	124023-1000	6749	
7	590 09/08/2005		EXAM	INER	
Todd E. Landis			GOTTSCHALK, MARTIN A		
Gardere Wynne 3000 Thanksgi		ART UNIT	PAPER NUMBER		
1601 Elm Street, Suite 3000			3626	3626	
Dallas, TX 75201-4767			DATE MAILED: 09/08/2005		

Please find below and/or attached an Office communication concerning this application or proceeding.

		Application No.	Applicant(s)
Examiner  Martin A. Gottschalk  3626  - The MAILING DATE of this communication appears on the cover sheet with the correspondence address—  This application is abandoned in view of:  1. ☑ Applicant's failure to limely file a proper reply to the Office letter mailed on 24 February 2005.  (a) ☐ A reply was received on	Notice of Abandanmant	09/779.798	SPYKER DON
This application is abandoned in view of:  1. □ Applicant's failure to timely file a proper reply to the Office letter mailed on 24 February 2005.  (a) □ A reply was received on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the period for reply (including a total extension of time of month(s)) which expired on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the period for reply (including a total extension of time of month(s)) which expired on (A proper reply under 37 CFR 1.113 (a) to the final rejection. (A proper reply under 37 CFR 1.131 (a) to the final rejection. (A proper reply under 37 CFR 1.131 (a) to the final rejection. (A proper reply under 37 CFR 1.135(a) and 1.111. (See explanation in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.131.  (b) □ A reply was received on but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).  (d) ☑ No reply has been received.  2. □ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).  (a) □ The issue fee and publication fee, if applicable, was received on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowability (PTO-37).  (b) □ The issue fee required by 37 CFR 1.18 is \$ The publication fee, if required by 37 CFR 1.18(d), is \$ The issue fee required by 37 CFR 1.18 is \$ The publication fee, if required by 37 CFR 1.18 is \$ The publication fee, if required by 37 CFR 1.18 is \$ T	Notice of Abandonment		<del></del>
This application is abandoned in view of:  1. □ Applicant's failure to timely file a proper reply to the Office letter mailed on 24 February 2005.  (a) □ A reply was received on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the period for reply (including a total extension of time of month(s)) which expired on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the period for reply (including a total extension of time of month(s)) which expired on (A proper reply under 37 CFR 1.113 (a) to the final rejection. (A proper reply under 37 CFR 1.131 (a) to the final rejection. (A proper reply under 37 CFR 1.131 (a) to the final rejection. (A proper reply under 37 CFR 1.135(a) and 1.111. (See explanation in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.131.  (b) □ A reply was received on but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).  (d) ☑ No reply has been received.  2. □ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).  (a) □ The issue fee and publication fee, if applicable, was received on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowability (PTO-37).  (b) □ The issue fee required by 37 CFR 1.18 is \$ The publication fee, if required by 37 CFR 1.18(d), is \$ The issue fee required by 37 CFR 1.18 is \$ The publication fee, if required by 37 CFR 1.18 is \$ The publication fee, if required by 37 CFR 1.18 is \$ T		Martin A. Gottschalk	3626
This application is abandoned in view of:  1. ☑ Applicant's failure to timely file a proper reply to the Office letter mailed on 24 February 2005.  (a) ☐ A reply was received on(with a Certificate of Mailing or Transmission dated), which is after the expiration of the period for reply (including a total extension of time of	The MAILING DATE of this communica		
(a) A reply was received on (with a Certificate of Mailing or Transmission dated, which is after the expiration of the period for reply (including a total extension of time of month(s)) which expired on (which is after the expiration of the period for reply funding a total extension of time of month (s) which expired on which is after the expiration of the period for reply funding a total extension of continued carmination of allowance; (2) a timely flied one period (3) a timely flied amendment which places the application in condition for allowance; (2) a timely flied Notice of Appeal (with appeal fee); or (3) a timely flied Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).  (c) A reply was received on but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).  (d) No reply has been received.  2. Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).  (a) The issue fee and publication foe, if applicable, was received on (with a Certificate of Mailing or Transmission dated Allowance (PTOL-85).  (b) The submitted fee of \$ is insufficient. A balance of \$ is due.  The issue fee required by 37 CFR 1.18 is \$ The publication fee, if required by 37 CFR 1.18(d), is \$  (c) The issue fee required by 37 CFR 1.18 is \$ The publication fee, if required by 37 CFR 1.18(d), is \$  (d) Proposed corrected drawings were received on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the period for reply.  (b) No corrected drawings have been received on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the period for reply.  (b) No corrected drawings have been received on (	·		•
application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR.1.134.)  (c) ☐ A reply was received on but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR.1.85(a) and 1.111. (See explanation in box 7 below).  (d) ☐ No reply has been received.  2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).  (a) ☐ The issue fee and publication fee, if applicable, was received on (with a Certificate of Mailing or Transmission dated, which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).  (b) ☐ The issue fee of \$ is insufficient. A balance of \$ is due.  The issue fee required by 37 CFR 1.18 is \$ The publication fee, if required by 37 CFR 1.18(d), is \$ (c) ☐ The issue fee and publication fee, if applicable, has not been received.  3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).  (a) ☐ Proposed corrected drawings were received on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the period for reply.  (b) ☐ No corrected drawings have been received.  4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.  5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.  6. ☐ The decision by the Board of Patent Appeals and Interference rendered on and because the period for seeking court review	(a) A reply was received on (with a Certifi period for reply (including a total extension of	cate of Mailing or Transmission date time of month(s)) which exp	d), which is after the expiration of the red on
final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).  (d) No reply has been received.  2. Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).  (a) The issue fee and publication fee, if applicable, was received on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).  (b) The submitted fee of \$ is insufficient. A balance of \$ is due. The issue fee and publication fee, if applicable, has not been received.  (c) The issue fee and publication fee, if applicable, has not been received.  (d) The issue fee and publication fee, if applicable, has not been received.  (e) The issue fee and publication fee, if applicable, has not been received.  (g) Proposed corrected drawings were received on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the period for reply.  (b) No corrected drawings have been received.  (c) The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.  5. The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.  6. The decision by the Board of Patent Appeals and Interference rendered on and because the period for seeking court review of the decision has expired and there are no allowed claims.  7. The reason(s) below:  Martin Gottschalk Examiner Art Unit 3626  Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.	(A proper reply under 37 CFR 1.113 to a final application in condition for allowance; (2) a tire	rejection consists only of: (1) a time nely filed Notice of Appeal (with app	ly filed amendment which places the
2. Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).  (a) The issue fee and publication fee, if applicable, was received on (with a Certificate of Mailing or Transmission dated, which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).  (b) The submitted fee of \$ is insufficient. A balance of \$ is due.  The issue fee required by 37 CFR 1.18 is \$ The publication fee, if required by 37 CFR 1.18(d), is \$ (c) The issue fee required by 37 CFR 1.18 is \$ The publication fee, if required by 37 CFR 1.18(d), is \$ (c) The issue fee and publication fee, if applicable, has not been received.  3. Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).  (a) Proposed corrected drawings were received on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the period for reply.  (b) No corrected drawings have been received.  4. The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.  5. The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.  6. The decision by the Board of Patent Appeals and Interference rendered on and because the period for seeking court review of the decision has expired and there are no allowed claims.  7. The reason(s) below:  Martin Gottschalk Examiner Art Unit 3628  Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.	(c) A reply was received on but it does no final rejection. See 37 CFR 1.85(a) and 1.11	t constitute a proper reply, or a bona 1. (See explanation in box 7 below)	fide attempt at a proper reply, to the non-
from the mailing date of the Notice of Allowance (PTOL-85).  (a)   The issue fee and publication fee, if applicable, was received on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).  (b)   The submitted fee of \$ is insufficient. A balance of \$ is due.  The issue fee required by 37 CFR 1.18 is \$ The publication fee, if required by 37 CFR 1.18(d), is \$  (c)   The issue fee and publication fee, if applicable, has not been received.  3   Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).  (a)   Proposed corrected drawings were received on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the period for reply.  (b)   No corrected drawings have been received.  4.   The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.  5.   The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.  6.   The decision by the Board of Patent Appeals and Interference rendered on and because the period for seeking court review of the decision has expired and there are no allowed claims.  7.   The reason(s) below:    Martin Gottschalk	(d) 🛛 No reply has been received.		
Allowance (PTOL-85).  (b) The submitted fee of \$ is insufficient. A balance of \$ is due.  The issue fee required by 37 CFR 1.18 is \$ The publication fee, if required by 37 CFR 1.18(d), is \$  (c) The issue fee and publication fee, if applicable, has not been received.  3. Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).  (a) Proposed corrected drawings were received on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the period for reply.  (b) No corrected drawings have been received.  4. The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.  5. The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.  6. The decision by the Board of Patent Appeals and Interference rendered on and because the period for seeking court review of the decision has expired and there are no allowed claims.  7. The reason(s) below:  Martin Gottschalk Examiner TeCHNOLOGY CENTER 36(3)  Martin Gottschalk Examiner Art Unit 3626  Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.	from the mailing date of the Notice of Allowance  (a)   The issue fee and publication fee, if application fee, if application fee is a second or continuous fee.	(PTOL-85). ible, was received on (with a	a Certificate of Mailing or Transmission date
The issue fee required by 37 CFR 1.18 is \$ The publication fee, if required by 37 CFR 1.18(d), is \$  (c)	), which is after the expiration of the sta		
(c) The issue fee and publication fee, if applicable, has not been received.  3. Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).  (a) Proposed corrected drawings were received on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the period for reply.  (b) No corrected drawings have been received.  4. The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.  5. The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.  6. The decision by the Board of Patent Appeals and Interference rendered on and because the period for seeking court review of the decision has expired and there are no allowed claims.  7. The reason(s) below:  Martin Gottschalk Examiner Art Unit 3626  Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.  15. Patent and Trademat Office		· •	•
3. Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).  (a) Proposed corrected drawings were received on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the period for reply.  (b) No corrected drawings have been received.  4. The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.  5. The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.  6. The decision by the Board of Patent Appeals and Interference rendered on and because the period for seeking court review of the decision has expired and there are no allowed claims.  7. The reason(s) below:  Martin Gottschalk Examiner Art Unit 3626  Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.	l		ed by 37 CFR 1.18(d), is \$
Allowability (PTO-37).  (a) Proposed corrected drawings were received on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the period for reply.  (b) No corrected drawings have been received.  4. The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.  5. The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.  6. The decision by the Board of Patent Appeals and Interference rendered on and because the period for seeking court review of the decision has expired and there are no allowed claims.  7. The reason(s) below:  Martin Gottschalk Examiner Art Unit 3626  Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.  Settlement of Transmission dated	(c) The issue fee and publication fee, if applicabl	e, has not been received.	
after the expiration of the period for reply.  (b) No corrected drawings have been received.  4. The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.  5. The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.  6. The decision by the Board of Patent Appeals and Interference rendered on and because the period for seeking court review of the decision has expired and there are no allowed claims.  7. The reason(s) below:  Wartin Gottschalk Examiner Art Unit 3626  Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.  1. Setent and Trademark Office		s as required by, and within the three	e-month period set in, the Notice of
4.  The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.  5.  The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.  6.  The decision by the Board of Patent Appeals and Interference rendered on and because the period for seeking court review of the decision has expired and there are no allowed claims.  7.  The reason(s) below:		on (with a Certificate of Mailin	g or Transmission dated), which is
the applicants.  5. The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.  6. The decision by the Board of Patent Appeals and Interference rendered on and because the period for seeking court review of the decision has expired and there are no allowed claims.  7. The reason(s) below:    Separation   Martin Gottschalk   Examiner	(b) No corrected drawings have been received.		
1.34(a)) upon the filing of a continuing application.  6. The decision by the Board of Patent Appeals and Interference rendered on and because the period for seeking court review of the decision has expired and there are no allowed claims.  7. The reason(s) below:  SUPERVISORY PATENT EXAMINER TECHNOLOGY CENTER 3600  Martin Gottschalk Examiner Art Unit 3626  Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.		ed by the attorney or agent of record	, the assignee of the entire interest, or all of
of the decision has expired and there are no allowed claims.  7. The reason(s) below:  JOSEPH THOMAS  SUPERVISORY PATENT EXAMINER  TECHNOLOGY CENTER 3609  Martin Gottschalk Examiner  Art Unit 3626  Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.			a representative capacity under 37 CFR
JOSEPH THOMAS SUPERVISORY PATENT EXAMINER TECHNOLOGY CENTER 36(1)  Martin Gottschalk Examiner Art Unit 3626  Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.  J.S. Patent and Trademark Office	6. The decision by the Board of Patent Appeals and of the decision has expired and there are no allow	I Interference rendered on an wed claims.	d because the period for seeking court revie
TECHNOLOGY CENTER 3600 Martin Gottschalk Examiner Art Unit 3626  Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.  J.S. Patent and Trademark Office	7. The reason(s) below:		
TECHNOLOGY CENTER 3600 Martin Gottschalk Examiner Art Unit 3626  Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.  J.S. Patent and Trademark Office	Av.	1 There	
TECHNOLOGY CENTER 3600 Martin Gottschalk Examiner Art Unit 3626  Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.  J.S. Patent and Trademark Office		EPH THOMAS	
Examiner Art Unit 3626  Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.  J.S. Patent and Trademark Office	SUPERVISOR	RY PATENT EXAMINER	·
minimize any negative effects on patent term.  J.S. Patent and Trademark Office	TECHNOL	OGY CENTER 3689	Examiner
J.S. Patent and Trademark Office	Petitions to revive under 37 CFR 1.137(a) or (b), or requests	to withdraw the holding of abandonment	<del>-</del>
	U.S. Patent and Trademark Office PTOL-1432 (Rev. 04-01)	Notice of Abandonment	Part of Paper No. 20050925